

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY KEEL,

No. C 10-892 SI (pr)

Plaintiff,

ORDER

v.

JAMES WILLETT; et al.,

Defendants.

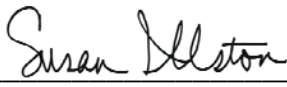
This pro se civil action was dismissed on May 17, 2010 for two reasons: (a) the plaintiff failed to pay the filing fee or submit a completed in forma pauperis application (i.e., an application that was signed and had the required certificate of funds), and (b) it was filed in the wrong venue.

Plaintiff then filed a “motion to set the dismissal straight,” and – more than two months after the dismissal -- a motion for a 30-day extension to pay the filing fee and later still paid a \$5.00 filing fee. In the “motion to set the dismissal straight,” plaintiff appears to argue that it is the prison trust account’s fault for sending in a deficient in forma pauperis application. Plaintiff’s argument ignores the fact that it was his signature that was missing from the in forma pauperis application. More importantly, regardless of the plaintiff’s belated efforts to tend to the fee problem, there remains the fact that the action was dismissed for the separate and addition reason that the action was filed in the wrong venue. See Order of Dismissal, p. 2.

1 For the foregoing reasons, plaintiff's "motion to set the dismissal straight" is DENIED
2 and his motion for an extension to pay the filing fee is DISMISSED as moot. (Docket # 8, # 9.)
3 This action is closed and plaintiff should not file any more documents in it. As the court
4 explained in the original order of dismissal, the dismissal is without prejudice to him filing a new
5 petition or complaint in the proper venue, i.e., in the Eastern District of California.

6 IT IS SO ORDERED.

7 Dated: December 6, 2010



SUSAN ILLSTON
United States District Judge